

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JUDITH CAVALIERE	:	CIVIL ACTION
	:	
v.	:	
	:	
ADVERTISING SPECIALTY	:	
INSTITUTE INC.	:	NO. 11-1180

ORDER

And now, this 16th day of February, 2012, upon consideration of plaintiff Judith Cavaliere's complaint (docket entry # 11), defendant Advertising Specialty Institute Inc.'s ("ASI's") motion for partial summary judgment (docket entry # 21), Cavaliere's response in opposition thereto (docket entry # 23), and ASI's reply in support of its motion (docket entry # 27), and upon the analysis set forth in the accompanying Memorandum, it is hereby ORDERED that:

1. Defendant ASI's motion for partial summary judgment (docket entry # 21) is GRANTED IN PART;
2. Count II of plaintiff Cavaliere's complaint (docket entry # 1) is DISMISSED WITH PREJUDICE to the extent it asserts claims of discrimination under the ADA;
3. Cavaliere's damages claims for back pay and front pay in her complaint (docket entry # 1) are DISMISSED;

4. Count I of plaintiff Cavaliere's complaint (docket entry # 1) is WITHDRAWN to the extent it asserts a claim of interference under the FMLA;

5. In accordance with Loc. R. Civ. P. 72.1 and 28 U.S.C. § 636(b)(3), this case is REFERRED to Judge Jacob P. Hart to attempt to resolve this controversy;

6. The parties shall COOPERATE in accordance with Judge Hart's instructions and shall make every effort to meet with him at his earliest convenience; and

7. Further scheduling shall ABIDE the results of Judge Hart's efforts.

BY THE COURT:

___\s\Stewart Dalzell